

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAMOS MARLON,

Petitioner,

Case No. C14-594-RAJ-BAT

V.

DEPARTMENT OF HOMELAND SECURITY,
et al.,

Respondents.

REPORT AND RECOMMENDATION

Ramos Marlon is proceeding *pro se*. By letter dated April 23, 2014, Mr. Marlon was granted thirty (30) days to either pay the \$5.00 filing fee or submit a completed application to proceed *in forma pauperis* (“IFP”), along with a certified copy of his prison trust account statement showing transactions for the past six months. Dkt. 2. Mr. Marlon was advised that failure to respond to the letter by May 23, 2014, could result in dismissal of the case. *Id.* To date, petitioner has neither paid the filing fee nor submitted a completed application for IFP status. Accordingly, the Court recommends that this action be **DISMISSED** without prejudice for failure to pay the filing fee pursuant to 28 U.S.C. § 1914.

OBJECTIONS AND APPEAL

This Report and Recommendation is not an appealable order. Therefore a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the

1 assigned District Judge enters a judgment in the case.

2 Objections, however, may be filed and served upon all parties no later than **June 18,**
3 **2014.** The Clerk should note the matter for **June 20, 2014**, as ready for the District Judge's
4 consideration if no objection is filed. If objections are filed, any response is due within 14 days
5 after being served with the objections. A party filing an objection must note the matter for the
6 Court's consideration 14 days from the date the objection is filed and served. The matter will
7 then be ready for the Court's consideration on the date the response is due. Objections and
8 responses shall not exceed five (5) pages. The failure to timely object may affect the right to
9 appeal.

10 DATED this 28th day of May, 2014.

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13 BRIAN A. TSUCHIDA
14 United States Magistrate Judge
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